

HJS

**Response to Missing Requirements Under  
35 USC § 371**

Attorney Docket No.: FISHR21.001APC  
First Named Inventor: Sexton, Stephen  
Int'l Application No.: PCT/AU02/01765  
US Application No.: 10/500,234  
Entered National Phase: June 25, 2004  
Title: NOCTUID ATTRACTANT COMPOSITION

**Direct all correspondence to Customer No.: 20995**

Date: February 2, 2005

Page 1 of 2

**Mail Stop PCT**  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

February 2, 2005

(Date)

Marina L. Gordon, Reg. No. 52,950

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated December 10, 2004.
- (X) An Oath or Declaration signed by the inventor (35 USC 371(c)(4)) in 3 pages.
- (X) Power of attorney form and copy of assignment in 3 pages.
- (X) Information Disclosure Statement and PTO-1449 in 2 total pages (IDS and 1449).
- (X) 4 references enclosed; 7 listed.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEES TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(e)	1617 (\$130)		\$130
Excess Claims	23 - 23 = 0	1202 (\$18)	0 x 18 =	\$0
Excess Ind. Claims	1 - 3 = 0	1201 (\$84)	0 x 86 =	\$0
Multiple Claim		1203 (\$290)		\$0
			<b>SUB TOTAL</b>	\$130
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$65)
Late English Trans	37 CFR § 1.492(f)	1618 (\$130)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$65</b>

- (X) A check in the amount of \$65 is enclosed to cover the above fees.

**Response to Missing  
Requirements Under  
35 USC § 371**

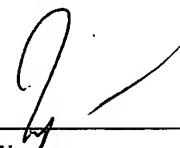
Attorney Docket No.: FISHR21.001APC  
First Named Inventor: Sexton, Stephen  
Int'l Application No.: PCT/AU02/01765  
US Application No.: 10/500,234  
Entered National Phase: June 25, 2004  
Title: NOCTUID ATTRACTANT COMPOSITION

**Direct all correspondence to Customer No.: 20995**

Date: February 2, 2005

Page 2 of 2

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

  
\_\_\_\_\_  
Marina L. Gordey  
Registration No. 52,950  
Agent of Record  
Customer No. 20,995  
(805) 547-5580

O:\DOCS\MXG\MXG-6647.DOC:vr  
012505



DEA/MXG  
FISHR21.001APC  
MG

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,234	Stephen Sexton	FISHR21.001APC
		INTERNATIONAL APPLICATION NO.
		PCT/AU02/01765
20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614		I.A. FILING DATE      PRIORITY DATE
		12/23/2002      01/02/2002
CONFIRMATION NO. 7509 371 FORMALITIES LETTER		
 *OC000000014693741*		

Date Mailed: 12/10/2004

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/25/2004
- Copy of the International Search Report filed on 06/25/2004
- Copy of IPE Report filed on 06/25/2004
- Copy of Annexes to the IPER filed on 06/25/2004
- Preliminary Amendments filed on 06/25/2004
- Request for Immediate Examination filed on 06/25/2004
- U.S. Basic National Fees filed on 06/25/2004
- Priority Documents filed on 06/25/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 305-5483

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,234	PCT/AU02/01765	FISHR21.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)